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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/211,527 12/14/98 COX

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EXAMINER

BACKER, F

ART UNIT

PAPER NUMBER

2155

DATE MAILED:

09/10/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/211,527

Applicant(s)

COX ET AL.

Examiner

Firmin Backer

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 July 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2,7-13,16,21-27,30,35-41 and 43-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2,7-13,16,21-27,30,35-41 and 43-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 18) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____

Response to Amendment

This is in response to an amendment file on July 18th, 20001 for letter for patent filed on December 14, 1998 in. Claims 9, 20 and 27 have been amended. Claims 2, 7, 8-13 16, 21-27, 30, 35-41, 43-45 are pending in the letter.

Response to Arguments

1. Applicant's arguments with respect to claims 2, 7, 8-13 16, 21-27, 30, 35-41, 43-45 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2, 7, 8-13 16, 21-27, 30, 35-41, 43-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shwed et al (U.S. Patent No. 5,835,726) in view of Belfiore et al (U.S. Patent No. 6,009,459).

4. As per claim 9, 23, 37, Shwed et al. teach a method/system/program for controlling content provided to a device of a user of a network (controlling information flow) (see abstract,

Art Unit: 2155

column 2 lines 31-36, 3 lines 8-35) comprising a storage for storing program code comprising providing session dependent information associated with the device to the network device having stored policies which are based on the session dependent information (see fig 17 and column 3 lines 8-35, 14 line 40-15 line 42) and modifying the content (modifying packet) provided by the network device to the device based on the policies (rules) and the provided session dependent information (see abstract, column 13 lines 6-19). Shwed et al fail to teach an inventive concept that modify content provided to the user of the device. However, Belfiore et al teach an inventive concept that modify content provided to the user of the device (see abstract, fig 8B, column 7 lines 6-35, and claims 14 and 42). Therefore, it would have been obvious to one of ordinary skill in the art at the invention was made to modify Swed et al's inventive concept to include Belfiore et al's inventive concept that modify content provided to the user of the device because this would have ensure that the user receive the particular content selected in the search session.

5. As per claim 10, 24, 38, Shwed et al. teach a method/system/program comprises automatically translating content of a communication provided to the device (see abstract, column 13 lines 6-20).

6. As per claim 2, 11, 13, 16, 25, 27, 30, 39, 41, Shwed et al teach a method/system/program wherein the session dependent information comprises type of network connection, and type of device connected and a user ID and an application identification (see abstract, column 20 lines 34-21 line 40).

Art Unit: 2155

7. As per claim 7, 8, 21, 22, 35, 36, Shwed et al. teach a method/system/program comprise storing the defined rules and obtaining the defined rules from the network device (server) in response to the determination of characteristics of an operating environment associated with a user session (see fig 17 and column 3 lines 8-35, 14 line 40-15 line 42).

8. As per claim 12, 26, 40, Shwed et al. teach a method/system/program wherein the policies comprises policies which control the characteristics of a network connection, content user by the user and preferences (see fig 17 and column 3 lines 8-35, 14 line 40-15 line 42).

9. As per claim 43-45, Shwed et al. teach a method/system/program of removing color components of the content, graphics information, prioritizing communication and varying preferences for an application (see fig 17 and column 3 lines 8-35, 14 line 40-15 line 42).

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period

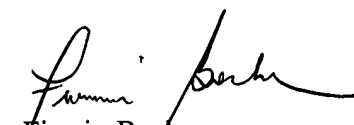
Art Unit: 2155

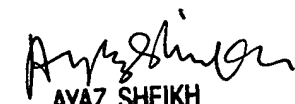
will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Firmin Backer whose telephone number is 703-305-0624. The examiner can normally be reached on Mon-Thu 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sheikh Ayaz can be reached on 703-305-9648. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3718 for regular communications and 703-305-5352 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.


Firmin Backer
August 30, 2001


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100